

**SEMINOLE COUNTY GOVERNMENT  
BOARD OF ADJUSTMENT  
AGENDA MEMORANDUM**

**SUBJECT:** 3067 Cecelia Drive – Sheila Cichra, applicant; Request for a side yard (north) setback variance from 10 feet to 5 feet for a replacement boat dock in R-1AA (Single Family Dwelling) district.

**DEPARTMENT:** Planning & Development **DIVISION:** Planning

**AUTHORIZED BY:** Kathy Fall **CONTACT:** Denny Gibbs **EXT.** 7387

**Agenda Date** 1/26/09 **Regular** ☐ **Consent** ☐ **Public Hearing – 6:00** ☒

**MOTION/RECOMMENDATION:**

1. **Deny** the request for a side yard (north) setback variance from 10 feet to 5 feet for a replacement boat dock in R-1AA (Single Family Dwelling) district; or
2. **Approve** the request for a side yard (north) setback variance from 10 feet to 5 feet for a replacement boat dock in R-1AA (Single Family Dwelling) district; or
3. **Continue** the request to a time and date certain.

<b>GENERAL INFORMATION</b>	<p>Applicant: Sheila Cichra</p> <p>Owner: Ron &amp; Natalia Shaw</p> <p>Location: 3067 Cecelia Drive</p> <p>Zoning: R-1AA (Single Family Dwelling)</p> <p>Subdivision: Paradise Point</p>
<b>BACKGROUND / REQUEST</b>	<ul style="list-style-type: none"> <li>• The applicant proposes to construct a replacement dock that will encroach 5 feet into the required side 10-foot setback. The existing dock also encroaches into the setback approximately 5 feet.</li> <li>• The new dock will be 805 square feet replacing the existing dock which is 568 square feet.</li> <li>• There are currently no code enforcement or building violations for this property.</li> <li>• There is no record of prior variances for this property.</li> </ul>

Reviewed by: MC  
Co Atty: AS  
Pln Mgr: AS

<b>STAFF FINDINGS</b>	<p>The applicant has not satisfied the criteria for the grant of a variance. Staff has determined that:</p> <ul style="list-style-type: none"><li>• No special conditions or circumstances exist, which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures or building in the same zoning district.</li><li>• Special conditions and circumstances result from the actions of the applicant.</li><li>• The granting of the variance requested would confer on the applicant special privileges that are denied by Chapter 30 to other lands, buildings, or structures in the same zoning district.</li><li>• The literal interpretation of the provisions of Chapter 30 would not deprive the applicant of rights commonly enjoyed by other properties in the same zoning classification.</li><li>• The variance requested is not the minimum variance that will make possible reasonable use of the land, building or structure.</li><li>• The applicant would still retain reasonable use of the land, building or structure without the granting of the variance.</li><li>• The grant of the variance would not be in harmony with the general intent of Chapter 30.</li></ul>
<b>STAFF RECOMMENDATION</b>	<p>Based on the stated findings, staff recommends denial of the request, unless the applicants can demonstrate that all six criteria under the Land Development Code for granting a variance have been satisfied. If the Board should decide to grant a variance, staff recommends the following conditions of approval:</p> <ul style="list-style-type: none"><li>• Any variance granted shall apply only to the dock as depicted on the attached site plan; and</li><li>• Any additional condition(s) deemed appropriate by the Board, based on information presented at the public hearing.</li></ul>

**INDEX OF ATTACHMENTS**

*Items that are checked are included in the packet*

- ☒ Staff Report
- ☒ Application
- ☐ Applicant statement of request
- ☒ Proposed Site Plan
- ☒ Location map
- ☒ Property Appraiser data sheet
- ☐ PUD Commitment Card, *if applicable*

**Support information:**

- ☒ Proposed elevation drawings, renderings, floor plans, etc
- ☐ Aerials, *if warranted*
- ☐ Plat, *if warranted*
- ☐ Code Enforcement information
- ☐ Building Permit information
- ☐ Correspondence
- ☒ Authorization letter
- ☒ Applicant Authorization Form
- ☐ Supporting documentation
- ☒ Letters of support
- ☐ HOA approval letter
- ☐ Pictures provided by applicant
- ☐ Other miscellaneous documents
  
- ☒ Proposed Development Order

Fee: \$150.00 plus \$50.00 for each additional variance

Application # BV2008-124  
Meeting Date 1-26-09



**COPY**  
**VARIANCE APPLICATION**  
**SEMINOLE COUNTY PLANNING DIVISION**  
1101 East First Street Sanford FL 32771 (407) 665-7444

RECEIVED DEC 04 2008

PROPERTY OWNER / APPLICANT (If you are not the owner please provide a letter of authorization from the owner)

Name: Ron + Natalia Shaw  
Address: 3067 Cecelia Drive City: Apopka Zip code: 32703  
Project Address: 3067 Cecelia Drive City: Apopka Zip code: 32703  
Tax Parcel number: 18 21 29 510 0 E00 0110  
Contact number(s): (407) 468-8714 Sheila Cichra  
Email address: cichra @ bellsouth.net

Is the property available for inspection without an appointment?

☒ Yes ☐ No If gated please provide a gate code to staff.

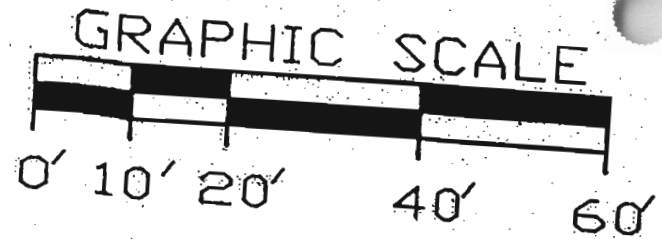
What type of structure is this request for?	
<input type="checkbox"/> Shed	Please describe:
<input type="checkbox"/> Fence	Please describe:
<input type="checkbox"/> Pool	Please describe:
<input type="checkbox"/> Pool screen enclosure	Please describe:
<input type="checkbox"/> Covered screen room	Please describe:
<input type="checkbox"/> Addition	Please describe:
<input type="checkbox"/> New Single Family Home	Please describe:
<input checked="" type="checkbox"/> Other	Please describe: <u>Boat Dock</u>
<input type="checkbox"/> This request is for a structure that has already been built.	

What type of variance is this request?				
<input type="checkbox"/> Minimum lot size	Required lot size:		Actual lot size:	
<input type="checkbox"/> Width at the building line	Required lot width:		Actual lot width:	
<input type="checkbox"/> Front yard setback	Required setback:		Proposed setback:	
<input type="checkbox"/> Rear yard setback	Required setback:		Proposed setback:	
<input checked="" type="checkbox"/> Side yard setback	Required setback:	<u>10'</u>	Proposed setback:	<u>5'</u>
<input type="checkbox"/> Side street setback	Required setback:		Proposed setback:	
<input type="checkbox"/> Fence height	Required height:		Proposed height:	
<input type="checkbox"/> Building height	Required height:		Proposed height:	
Use below for additional yard setback variance requests:				
<input type="checkbox"/> _____ yard setback	Required setback:		Proposed setback:	
<input type="checkbox"/> _____ yard setback	Required setback:		Proposed setback:	
<input checked="" type="checkbox"/> Total number of variances requested <u>1</u>				

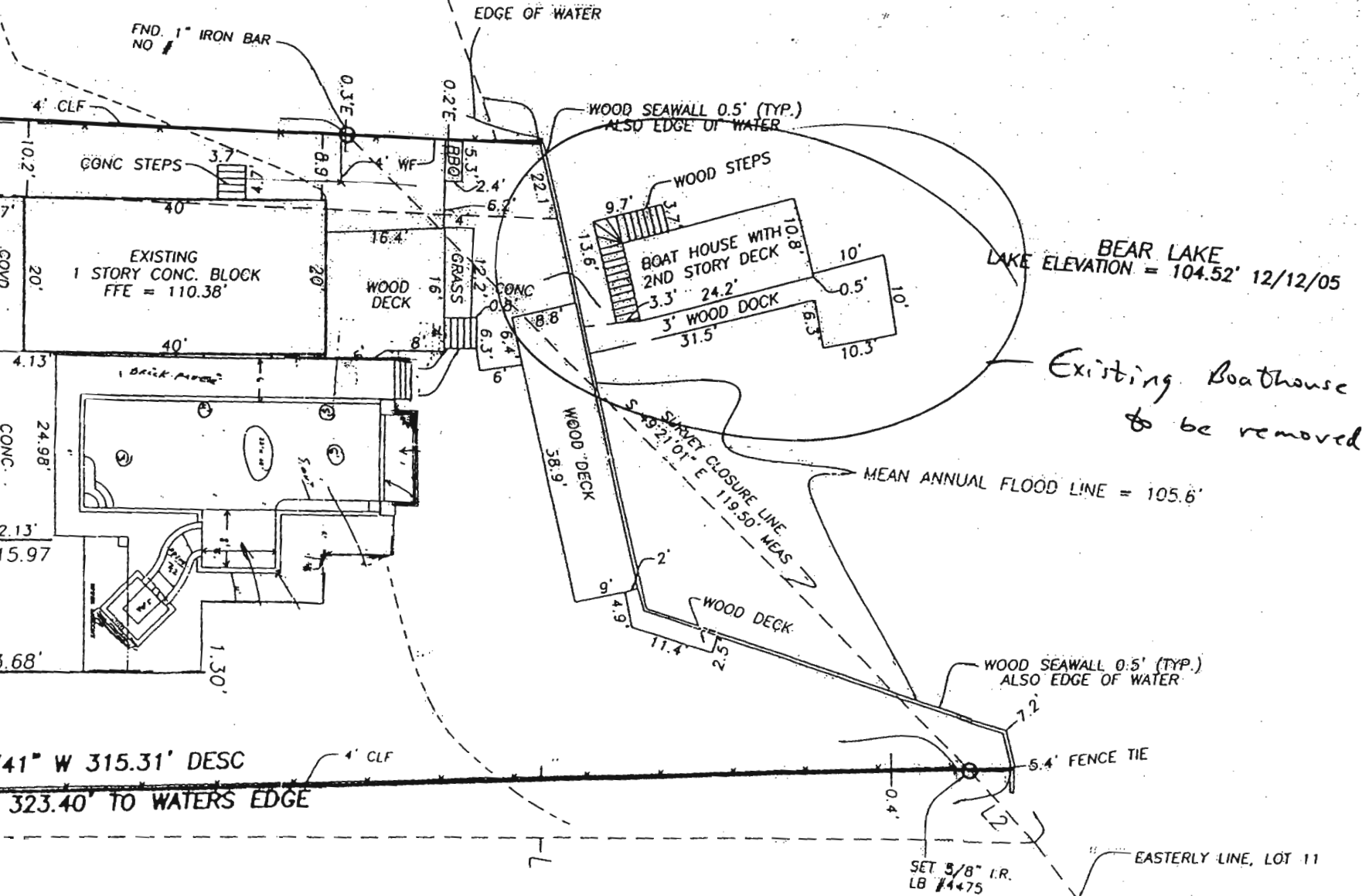
Signed: [Signature]

Date: 10/28/08

Existing



1" = 20'

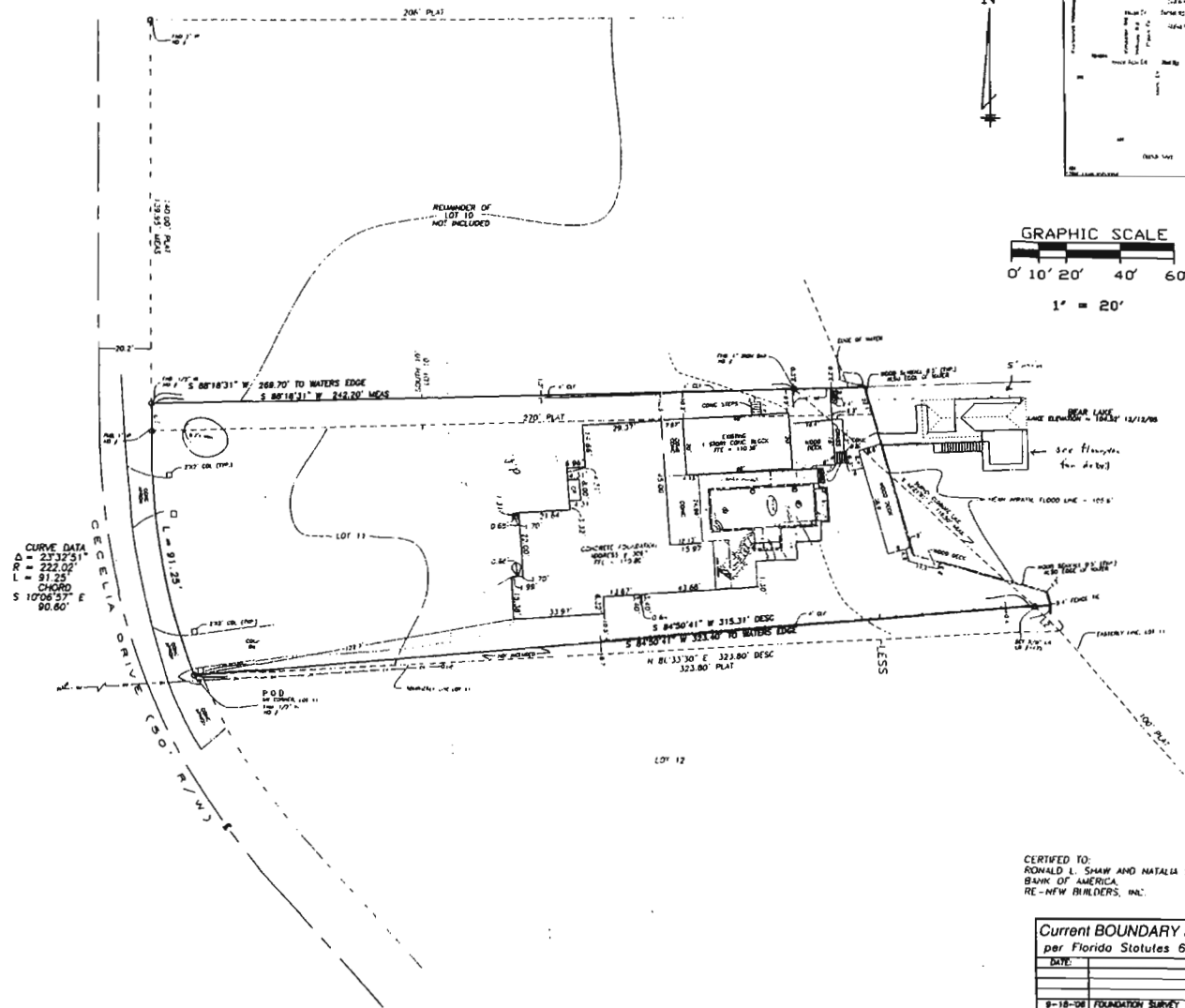


# PLAT OF SURVEY

## VICINITY MAP N.T.S.

**DESCRIPTION**  
THE SOUTH 10.0 FEET OF LOT 10, NEAL'S BAY POINT, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 7, PAGE 74 PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA, AND LOT 11, BLOCK E, PARADISE POINT, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 7, PAGE 87, PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA.

BEGINNING AT THE SOUTHWEST CORNER OF LOT 11, BLOCK E, PARADISE POINT, AS RECORDED IN PLAT BOOK 7, PAGE 87 OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA; THENCE RUN N. 86°33'30" E. ALONG THE SOUTHERLY LINE OF SAID LOT 11, A DISTANCE OF 323.80 FEET TO THE SOUTHEAST CORNER OF SAID LOT 11; THENCE RUN N. 45°55'12" W. ALONG THE EASTERLY LINE OF SAID LOT 11; A DISTANCE OF 12.78 FEET; THENCE RUN S. 84°50'41" W. 315.31 FEET TO THE POINT OF BEGINNING.



NOTES:

2. MEASURING SURVEYATION BASED ON BEING EAST FRONT OF WAY LINE OF CECILEIA DRIVE.
3. THIS SURVEY REFLECTS ONLY MATTERS OF RECORD AS PROVIDED BY THE CLIENT OR CLIENTS REPRESENTATIVE.
4. THIS SURVEY WAS MADE ON THE GROUND, THE UNDERGROUND UTILITIES SURVEY HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS; THE SURVEYOR HAS NO GUARANTEE THAT THE UNDERGROUND UTILITIES ARE THE SAME AS THOSE COMPRISED ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION AS LOCATED ON THE DRAWINGS. THE SURVEYOR HAS MADE THE SURVEY AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT INSURED THE SURVEY.
5. THIS SITE IS IN A FLOOD PRONE AREA, IN ZONE AE, ON A MAP OF MINIMAL FLOODINGS BASED ON FLOOD INSURANCE RATE MAP, MAP NO. 12171C 0115 E, SEMINOLE COUNTY, FLORIDA.
6. ELEVATIONS BASED ON SEMINOLE COUNTY BENCH MARK# 2628001, HAVING AN ELEVATION OF 112.53 FEET, NOV 1929.
7. ACCORDING TO FLORIDA STATUTES, CHAPTER 72.023, A LAND SURVEYOR SHALL NOT BE LICENSED TO MEASURE OR MAKE A SURVEY OR DRAWING UNLESS HE KNOWS THAT HE IS NOT LICENSED TO PERFORM OR IF THERE IS BEYOND HIS PROFESSION OR SPECIALTY. THEREIN, THEREFORE, WE ARE UNABLE TO CERTIFY AS TO MUNICIPAL ZONING JURISDICTION, INTERPRETATION OF ZONING CODES OR THE DETERMINATION OF VIOLATIONS THEREOF.
8. THIS SURVEY MADE WITHOUT BENEFIT OF COMMITMENT FOR TITLE.

CERTIFIED TO:  
RONALD L. SHAW AND NATALIA S. SHAW;  
BANK OF AMERICA  
RE-NEW BUILDERS, INC.

Current BOUNDARY SURVEY DATE: 12/12/05  
per Florida Statutes 61G17-6.003 2d

DATE:	REVISION	BY
9-18-08	FOUNDATION SURVEY	CS
5-30-08	ADD BFE CONTOUR LINE	DC
5-5-08	REMOVE NPAH & ADD MEAN ANNUAL FLOOD LINE	DC
5-1-08	ADD NORMAL HIGH WATER LINE (NPAH)	DC

BOUNDARY & TOPOGRAPHIC SURVEY


SCALE: 1" = 20'	CF: #SC7-74LOT11	APPROVED BY: S6
FIELD DATE: 12/12/05		DRAWN BY: SAM

PREPARED FOR: **RONALD L. & NATALIA S. SHAW**

LOCATION:	FILE NUMBER:
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**ACCURIGHT SURVEYS**  
of Orlando Inc., LB 4475  
2012 E. Robinson St.  
Orlando, Florida 32803  
PHONE FAX  
(407) 894-6314 (407) 897-3777

THIS SURVEY MEETS THE "MINIMUM TECHNICAL STANDARDS" AS REQUIRED BY CHAPTER 84G17-6, FLORIDA BOARD OF LAND SURVEYORS, PURSUANT TO SECTION 472.027 (4) THE FLORIDA STATUTES.

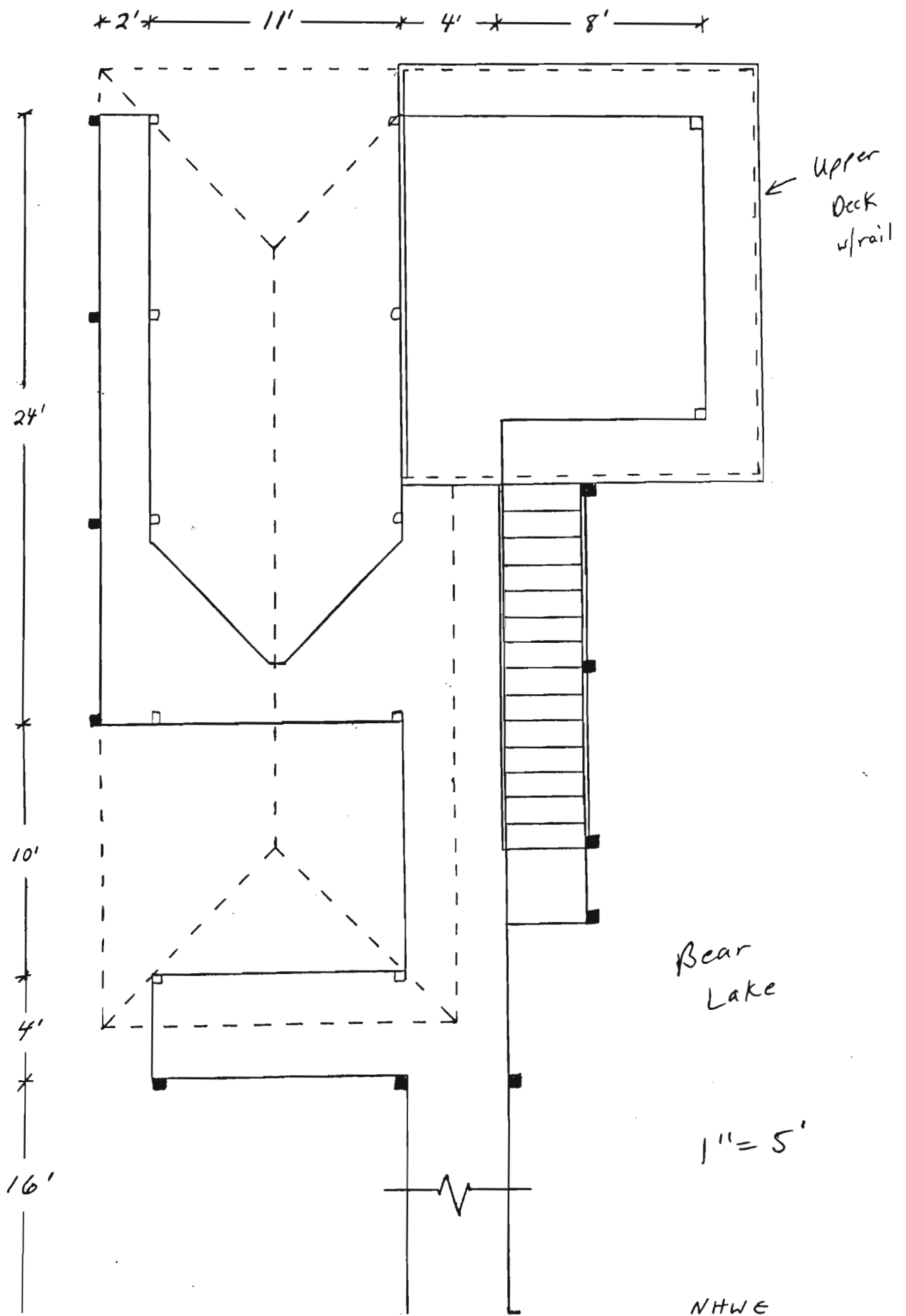
  
 ROBERT C. JOHNSON PSM 5551

THESE RESULTS WERE OBTAINED BY THE FOLLOWING PROCEDURE:

LINE 0442)

- |    |               |             |
|----|---------------|-------------|
| L1 | N 00°16'12" W | 10.00' DESC |
|    |               | 1.77' MEAS  |
| L2 | N 45°55'12" W | 13.78' DESC |







Center line  
of roof

10'  
max

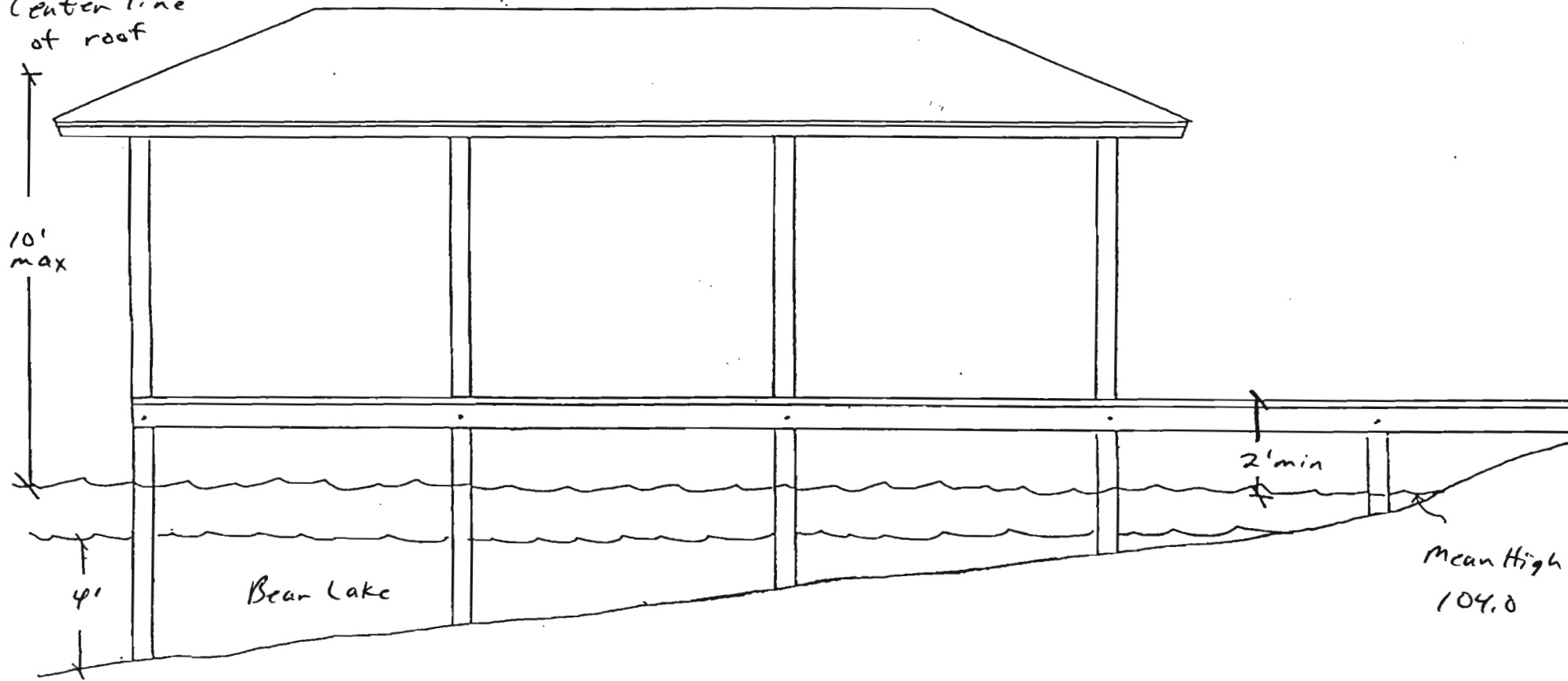
4'

Bear Lake

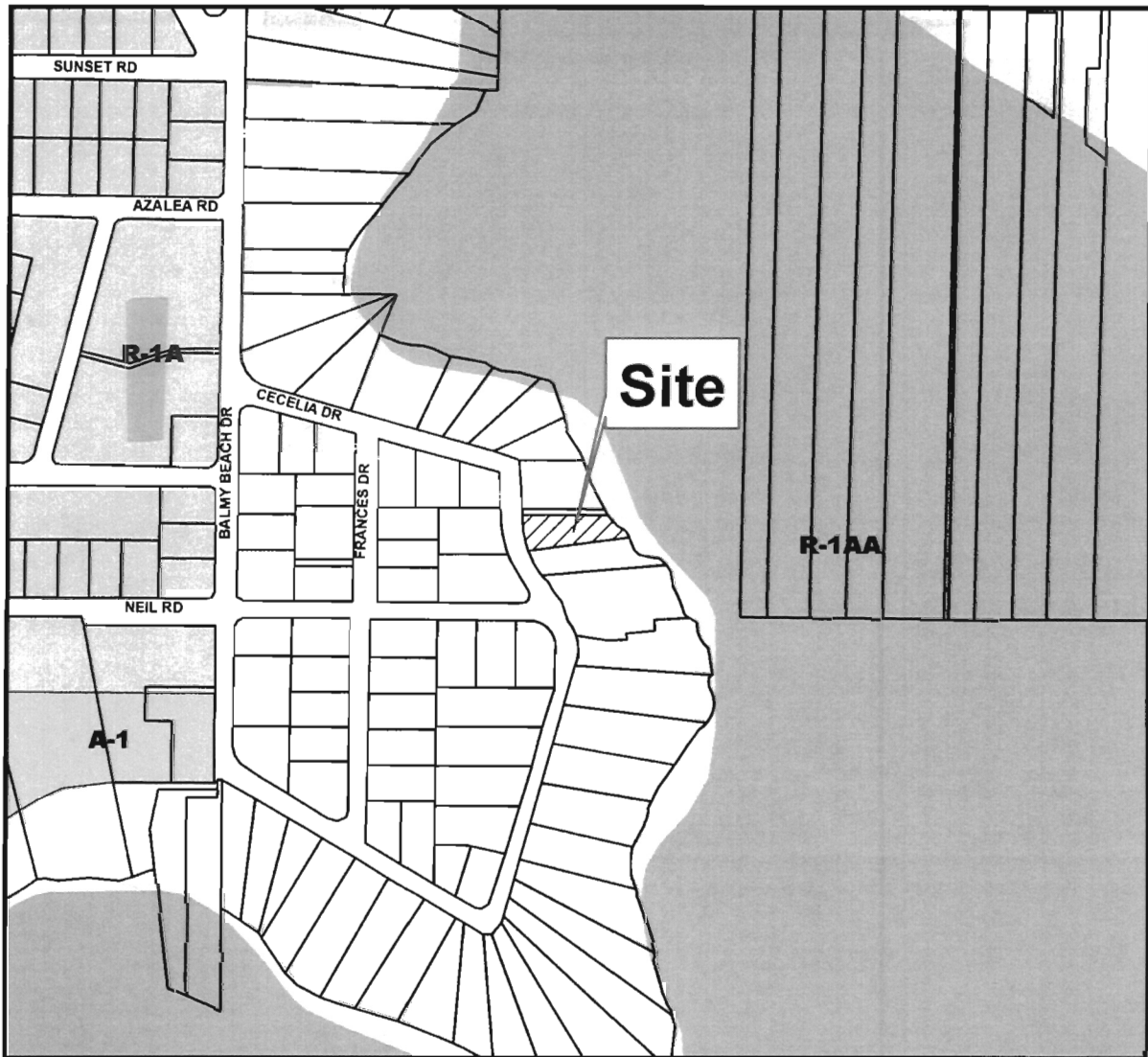
2' min

Mean High  
104.0

max depth  
@ mean low







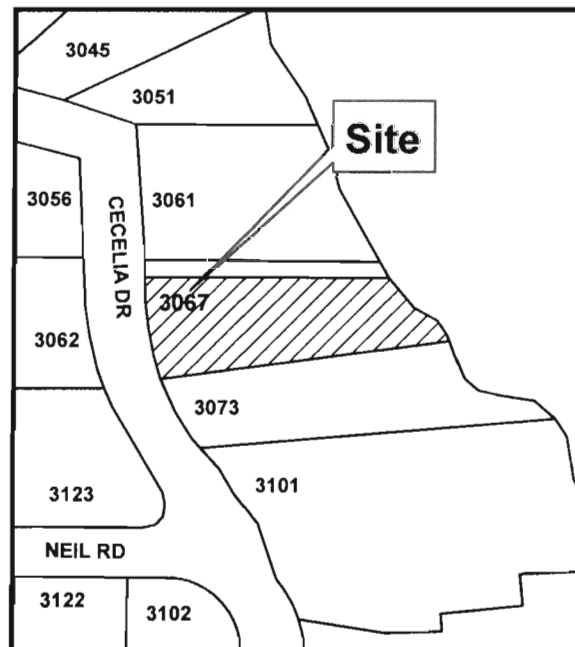
Ronald Shaw  
3067 Cecelia Drive  
Apopka, Florida 32703



Seminole County Board of Adjustment  
January 26, 2009  
Case: BV2008-124 (Map 3207 Grid A1)  
Parcel No: 18-21-29-510-0E00-0110

### Zoning

-  BV2008-124
-  A-1
-  R-1AA
-  R-1A



<b>PARCEL DETAIL</b>  DAVID JOHNSON, CFA, ASA <b>PROPERTY APPRAISER</b> SEMINOLE COUNTY FL 1101 E. FIRST ST SANFORD, FL 32771-1468 407-665-7506																																			
<b>GENERAL</b>  Parcel Id: 18-21-29-510-0E00-0110 Owner: SHAW RONALD L Mailing Address: 3067 CECELIA DR City, State, Zip Code: APOKA FL 32703 Property Address: 3067 CECELIA DR APOKA 32703 Subdivision Name: PARADISE POINT Tax District: 01-COUNTY-TX DIST 1 Exemptions: 00-HOMESTEAD (1994) Dor: 01-SINGLE FAMILY		<b>VALUE SUMMARY</b> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>VALUES</th> <th>2009 Working</th> <th>2008 Certified</th> </tr> </thead> <tbody> <tr> <td>Value Method</td> <td>Cost/Market</td> <td>Cost/Market</td> </tr> <tr> <td>Number of Buildings</td> <td>1</td> <td>1</td> </tr> <tr> <td>Depreciated Bldg Value</td> <td>\$651,925</td> <td>\$711,447</td> </tr> <tr> <td>Depreciated EXFT Value</td> <td>\$21,236</td> <td>\$21,914</td> </tr> <tr> <td>Land Value (Market)</td> <td>\$455,400</td> <td>\$455,400</td> </tr> <tr> <td>Land Value Ag</td> <td>\$0</td> <td>\$0</td> </tr> <tr> <td>Just/Market Value</td> <td>\$1,128,561</td> <td>\$1,188,761</td> </tr> <tr> <td>Portability Adj</td> <td>\$0</td> <td>\$0</td> </tr> <tr> <td>Save Our Homes Adj</td> <td>\$612,474</td> <td>\$687,706</td> </tr> <tr> <td>Assessed Value (SOH)</td> <td>\$516,087</td> <td>\$501,055</td> </tr> </tbody> </table> <p style="text-align: center;"> <a href="#">Tax Estimator</a>  <a href="#">Portability Calculator</a> </p>	VALUES	2009 Working	2008 Certified	Value Method	Cost/Market	Cost/Market	Number of Buildings	1	1	Depreciated Bldg Value	\$651,925	\$711,447	Depreciated EXFT Value	\$21,236	\$21,914	Land Value (Market)	\$455,400	\$455,400	Land Value Ag	\$0	\$0	Just/Market Value	\$1,128,561	\$1,188,761	Portability Adj	\$0	\$0	Save Our Homes Adj	\$612,474	\$687,706	Assessed Value (SOH)	\$516,087	\$501,055
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<div style="display: flex;"> <div style="width: 10%; font-weight: bold;">Building Sketch</div> <div style="width: 90%;"> <table border="1" style="width: 100%; border-collapse: collapse;"> <tbody> <tr> <td>Appendage / Sqft</td> <td>BASE / 800</td> </tr> <tr> <td>Appendage / Sqft</td> <td>OPEN PORCH FINISHED / 460</td> </tr> <tr> <td>Appendage / Sqft</td> <td>UTILITY UNFINISHED / 20</td> </tr> <tr> <td>Appendage / Sqft</td> <td>OPEN PORCH FINISHED / 40</td> </tr> <tr> <td>Appendage / Sqft</td> <td>GARAGE FINISHED / 1100</td> </tr> </tbody> </table> </div> </div>			Appendage / Sqft	BASE / 800	Appendage / Sqft	OPEN PORCH FINISHED / 460	Appendage / Sqft	UTILITY UNFINISHED / 20	Appendage / Sqft	OPEN PORCH FINISHED / 40	Appendage / Sqft	GARAGE FINISHED / 1100																							
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Appendage / Sqft OPEN PORCH FINISHED / 84  
 Appendage / Sqft OPEN PORCH FINISHED / 85  
 Appendage / Sqft UTILITY UNFINISHED / 707  
 Appendage / Sqft UPPER STORY FINISHED / 2076

NOTE: Appendage Codes included in Living Area: Base, Upper Story Base, Upper Story Finished, Apartment, Enclosed Porch Finished, Base Semi Finished

#### Permits

#### EXTRA FEATURE

Description	Year Blt	Units	EXFT Value	Est. Cost New
BOAT DOCK	1970	534	\$1,068	\$2,670
BOAT HOUSE	1970	310	\$992	\$2,480
WOOD DECK	2004	607	\$2,428	\$3,035
POOL GUNITE	2007	510	\$9,690	\$10,200
BRICK PATIO	2007	766	\$2,911	\$3,064
SPA	2007	1	\$3,267	\$3,500
STANDBY GENERATOR 1	2007	1	\$0	
SOLAR HEATER	2007	1	\$880	\$1,100

NOTE: Assessed values shown are NOT certified values and therefore are subject to change before being finalized for ad valorem tax purposes.

\*\*\* If you recently purchased a homesteaded property your next year's property tax will be based on Just/Market value.

## SEMINOLE COUNTY APPLICANT AUTHORIZATION FORM (ORIGINAL ONLY)

An authorized applicant is defined as:

The property owner of record, or  
 An agent of said property owner (power of attorney to represent and bind the property owner must be submitted with the application); or  
 Contract purchaser (a copy of a fully executed sales contract must be submitted with the application containing a clause or clauses allowing an application to be filed).

I Ron Shaw, the fee simple owner of the following  
(Owner's Name)

described property (Provide Legal Description or Tax Parcel ID Number(s))

18 21 29 510 DE00 0110

hereby affirm that Sheila Cichra is hereby designated to act as my ~~law~~  
 authorized agent and to file the attached application for the stated special exception / variance request and  
 make binding statements and commitments regarding the request.

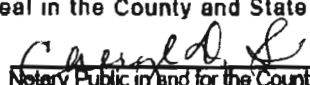
  
 Owner's Signature

I certify that I have examined the application and that all statements and diagrams submitted are true and accurate to the best of my knowledge. Further, I understand that this application, attachments and fees become part of the Official Records of Seminole County, Florida and are not returnable.

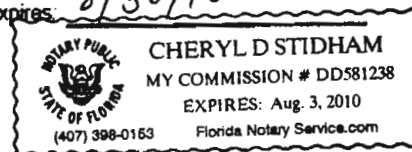
SWORN TO AND SUBSCRIBED before me this 3rd day of December 2008

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Ron Shaw, who is personally known to me or who has produced \_\_\_\_\_ has identification and who executed the foregoing instrument and sworn an oath.

WITNESS my hand and official seal in the County and State last aforesaid this 3rd day of December, 2008

  
 Notary Public in and for the County and State  
 Aforementioned

My Commission Expires 8/30/10



Application to the Board of Adjustment / Planning Division

Last updated 7/24/08

**SEMINOLE COUNTY  
APPLICATION & AFFIDAVIT**

**Ownership Disclosure Form**

The owner of the real property associated with this application is a (check one)

- ☒ Individual      ☐ Corporation      ☐ Land Trust  
☐ Limited Liability Company      ☐ Partnership  
☐ Other (describe): \_\_\_\_\_

1. List all natural persons who have an ownership interest in the property, which is the subject matter of this petition, by name and address.

NAME	ADDRESS	PHONE NUMBER
Ron Shaw	3067 Cecilia Drive	(407) 718-3309

(Use additional sheets for more space.)

2. For each corporation, list the name, address, and title of each officer; the name and address of each director of the corporation; and the name and address of each shareholder who owns two percent 2% or more of the stock of the corporation. Shareholders need not be disclosed if a corporation's stock are not traded publicly on any national stock exchange.

NAME	TITLE OR OFFICE	ADDRESS	% OF INTEREST

(Use additional sheets for more space.)

3. In the case of a trust, list the name and address of each trustee and the name and address of the beneficiaries of the trust and the percentage of interest of each beneficiary. If any trustee or beneficiary of a trust is a corporation, please provide the information required in paragraph 2 above.

Trust Name: \_\_\_\_\_

NAME	TRUSTEE OR BENEFICIARY	ADDRESS	% OF INTEREST

(Use additional sheets for more space.)

**SEMINOLE COUNTY  
APPLICATION & AFFIDAVIT**

4. For partnerships, including limited partnerships, list the name and address of each principal in the partnership, including general or limited partners. If any partner is a corporation, please provide the information required in paragraph 2 above.

NAME	ADDRESS	% OF INTEREST

(Use additional sheets for more space.)

5. In the circumstances of a contract for purchase, list the name and address of each contract purchaser. If the purchaser is a corporation, trust, or partnership, provide the information required for those entities in paragraphs 2, 3, and/or 4 above.

Name of Purchaser: \_\_\_\_\_

NAME	ADDRESS	% OF INTEREST

Date of Contract: \_\_\_\_\_

Please specify any contingency clause related to the outcome of the consideration of the application.

6. As to any type of owner referred to above, a change of ownership occurring subsequent to this application, shall be disclosed in writing to the Planning and Development Director prior to the date of the public hearing on the application.
7. I affirm that the above representations are true and are based upon my personal knowledge and belief after all reasonable inquiry. I understand that any failure to make mandated disclosures is grounds for the subject rezone, future land use amendment, special exception, or variance involved with this Application to become void. I certify that I am legally authorized to execute this Application and Affidavit and to bind the Applicant to the disclosures herein.

12/5/08  
Date

[Signature]  
Owner, Agent, Applicant Signature

STATE OF FLORIDA

COUNTY OF Orange

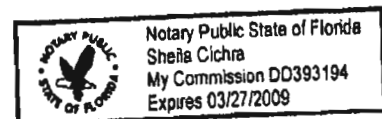
Sworn to (or affirmed) and subscribed before me this 5<sup>th</sup> day of December, 2008 by Ron Shaw

[Signature]  
Signature of Notary Public

Sheila Cichra  
Print, Type or Stamp Name of Notary Public

Personally Known ☒ OR Produced Identification ☐

Type of Identification Produced \_\_\_\_\_



**For Use by Planning & Development Staff**

Date: \_\_\_\_\_ Application Number: \_\_\_\_\_

Regarding the proposed boathouse to be constructed for Dr. Ron Shaw at  
3067 Cecelia Drive, Apopka, FL 32703:

I, Curtis Sheffield, residing at 3061 Cecelia Drive, on Bear Lake, have  
reviewed my adjacent property owner's proposed boat dock construction plan and  
have no objection to the boat dock being constructed closer than the minimum side  
setback of 10', but not closer than 5'.

Curtis A. Sheffield  
(Signature)

12/04/2008  
(Date)

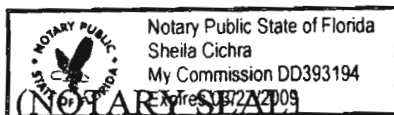
CURTIS A. SHEFFIELD  
(Print Name)

**ACKNOWLEDGEMENT:**

STATE OF FLORIDA

COUNTY OF SEMINOLE

The foregoing instrument was acknowledged before me this 4<sup>th</sup> day  
of December, 2008 by Curtis Sheffield.



Sheila Cichra  
(Signature of Notary Public – State of Florida)

Personally Known ☒ OR Produced Identification ☐

Type of Identification Produced \_\_\_\_\_



## SEMINOLE COUNTY DENIAL DEVELOPMENT ORDER

On January 26, 2009, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 11 (LESS BEG SW COR RUN N 86 DEG 33 MIN 30 SEC E 323.8 FT N 45 DEG 55 MIN 12 SEC W 12.78 FT S 84 DEG 50 MIN 41 SEC W 315.31 FT TO BEG) BLK E PARADISE POINT PB 7 PG 87 & 18-21-29-511-0000-010A S 10 FTOF LOT 10 NEALS BAY POINT PB 7 PG 74

(The aforescribed legal description has been provided to Seminole County by the owner of the aforescribed property.)

### FINDINGS OF FACT

**Property Owner:** Ronald L Shaw  
3067 Cecelia Dr  
Apopka FL 32703

**Project Name:** Cecelia Drive (3067)

**Requested Variance:**

Side yard (north) setback variance from 10 feet to 5 feet for a replacement boat dock in R-1AA (Single Family Dwelling) district.

Approval was sought to construct a replacement dock within the side setback. One or more of the six criteria under the Land Development Code for granting a variance have not been satisfied. The applicant still retains reasonable use of the property without the granting of the requested variance.

The requested development approval is hereby denied.

Prepared by: Denny Gibbs, Senior Planner  
1101 East First Street  
Sanford, Florida 32771

**Done and Ordered on the date first written above.**

By: \_\_\_\_\_  
Alison C. Stettner  
Planning Manager

**STATE OF FLORIDA        )**  
**COUNTY OF SEMINOLE    )**

**I HEREBY CERTIFY** that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared \_\_\_\_\_ who is personally known to me or who has produced \_\_\_\_\_ as identification and who executed the foregoing instrument.

**WITNESS** my hand and official seal in the County and State last aforesaid this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
Notary Public, in and for the County and State  
Aforementioned

My Commission Expires:

## SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On January 26, 2009, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 11 (LESS BEG SW COR RUN N 86 DEG 33 MIN 30 SEC E 323.8 FT N 45 DEG 55 MIN 12 SEC W 12.78 FT S 84 DEG 50 MIN 41 SEC W 315.31 FT TO BEG) BLK E PARADISE POINT PB 7 PG 87 & 18-21-29-511-0000-010A S 10 FTOF LOT 10 NEALS BAY POINT PB 7 PG 74

(The aforescribed legal description has been provided to Seminole County by the owner of the aforescribed property.)

### FINDINGS OF FACT

**Property Owner:** Ronald L Shaw  
3067 Cecelia Dr  
Apopka FL 32703

**Project Name:** Cecelia Drive (3067)

**Variance Approval:**

Side yard (north) setback variance from 10 feet to 5 feet for a replacement boat dock in R-1AA (Single Family Dwelling) district.

All six criteria for granting a variance under the Land Development Code have been satisfied.

The Development Approval sought is consistent with the Seminole County Comprehensive Plan and will be developed consistent with and in compliance to applicable land development regulations and all other applicable regulations and ordinances.

The owner of the property has expressly agreed to be bound by and subject to the development conditions and commitments stated below and has covenanted and agreed to have such conditions and commitments run with, follow and perpetually burden the aforescribed property.

Prepared by: Denny Gibbs, Planner  
1101 East First Street  
Sanford, Florida 32771

### Order

#### **NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:**

(1) The aforementioned application for development approval is **GRANTED**.

(2) All development shall fully comply with all of the codes and ordinances in effect in Seminole County at the time of issuance of permits including all impact fee ordinances.

(3) The conditions upon this development approval and the commitments made as to this development approval, all of which have been accepted by and agreed to by the owner of the property are as follows:

- a. The variance granted will apply only to the dock as depicted on the attached site plan.

(4) This Development Order touches and concerns the aforescribed property and the conditions, commitments and provisions of this Development Order shall perpetually burden, run with and follow the said property and be a servitude upon and binding upon said property unless released in whole or part by action of Seminole County by virtue of a document of equal dignity herewith. The owner of the said property has expressly covenanted and agreed to this provision and all other terms and provisions of this Development Order.

(5) The terms and provisions of this Order are not severable and in the event any portion of this Order shall be found to be invalid or illegal then the entire order shall be null and void.

**Done and Ordered on the date first written above.**

By: \_\_\_\_\_  
Alison C. Stettner  
Planning Manager

**STATE OF FLORIDA     )**  
**COUNTY OF SEMINOLE )**

**I HEREBY CERTIFY** that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared \_\_\_\_\_ who is personally known to me or who has produced \_\_\_\_\_ as identification and who executed the foregoing instrument.

**WITNESS** my hand and official seal in the County and State last aforesaid this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
Notary Public, in and for the County and State  
Aforementioned

My Commission Expires:

